

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63480 of 2019**

Arising Out of PS. Case No.-290 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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INDRA BHUSHAN MAHTO @ INDRA BHUSHAN KUMAR Son of Ram
Narayan Mahto Resident of Village- Nurullahpura, P.S.- Khodawandpur,
District- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nutan Kumari D/O- Ram Narayan Mahto R/o Village- Chhaurahi, Bardaha,
P.S.- Khodawandpur, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 16-06-2020 The present petition has been taken up for consideration

through the mode of Video conferencing in view of the

prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Complaint Case No. 290C of 2018 registered
for the offence punishable under Sections 323, 341, 379, 498(A)
of the Indian Penal Code and Sections 3/ 4 of the Dowry
Prohibition Act.

The case of the prosecution in brief is that the marriage of



the complainant had taken place about five years back and her father had given cash, gold, motorcycle and other articles. It is the allegation of the complainant that after marriage, she was staying in her matrimonial home and used to make all sort of adjustments, however subsequently, the accused persons including the petitioner herein, who is the husband of the complainant, started torturing the complainant for want of fulfillment of the demand for dowry and subsequently, the complainant is stated to have been beaten and kicked out of her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he is ready to keep her wife with full dignity and comfort. It is further submitted that the allegations levelled against the petitioner is false and the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the petitioner to appear before the learned court of Sub Divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 290C of 2018 within a period of four weeks from today, whereupon the learned court below shall issue notice to the wife of the petitioner i.e. the opposite party no. 2 herein / informant of the



present case and thereafter, engage the husband and the wife in mediation proceedings with an endeavour to settle the disputes amicably amongst them.

It is further directed that in case, the petitioner does not appear before the learned court below within a period of four weeks from today, the provisional anticipatory bail already granted to him by this Court shall stand revoked and the petitioner shall be liable to be arrested forthwith.

It is further directed that the privilege of provisional anticipatory bail already granted to the petitioner by this Court shall continue till the time, the learned court below takes a call with regard to either revoking the same or making it absolute, depending on the outcome of the mediation proceedings, without being prejudiced by its earlier order and any observation of this Court.

The present petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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